

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAMUEL FETCHERO et al.,

Plaintiff(s),

v.

AMICA MUTUAL INSURANCE
COMPANY,

Defendant(s).

CASE NO. 2:22-cv-00400-TL

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Honorable Tana Lin, United States District Judge:

(1) On November 28, 2022, the Parties filed a stipulated motion for leave to file Plaintiffs' second amended complaint. Dkt. No. 25. The stipulated motion includes Defendant's express written consent to the proposed amendments. *Id.*

(2) When a party is unable to amend its pleading before trial as a matter of course, the "party may amend its pleading only with the opposing party's written consent or the

1 court's leave." Fed. R. Civ. P. 15(a)(2). As Plaintiffs have written consent of the
2 opposing party, the Court's leave is not required. *Fern v. U.S.*, 213 F.2d 674, 677 (9th
3 Cir. 1954) ("Once the adverse party has consented to the amendment of a pleading,
4 the court has no control over the matter under Rule 15(a).").

5 (3) Plaintiffs are therefore directed to file their amended complaint. Defendant shall then
6 have **fourteen (14) days** from the date of filing to respond to the amended complaint.
7 *See* Fed. R. Civ. P. 15(a)(3).

8 (4) The Clerk is directed to terminate the stipulated motion for leave to amend at Dkt.
9 No 25.

10 Dated this 6th day of December 2022.

11
12 Ravi Subramanian
Clerk of the Court

13
14 s/ Kadya Peter
Deputy Clerk